

Committee on Resources

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JOHN ROBERT CARMAN

GENERAL MANAGER

METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY

TESTIMONY

BEFORE THE COMMITTEE ON RESOURCES

UNITED STATES HOUSE OF REPRESENTATIVES

PROVO RIVER PROJECT TRANSFER ACT

OCTOBER 30, 2003

My name is John Carman. I am the General Manager of the Metropolitan Water District of Salt Lake & Sandy.

The Metropolitan Water District of Salt Lake & Sandy provides wholesale supplemental drinking water to Salt Lake City and Sandy City. In most years our District also provides water to a sister agency, Jordan Valley Water Conservancy District, the other large public wholesaler located in Salt Lake County.

The Metropolitan Water District of Salt Lake & Sandy is the major shareholder in the Provo River Water Users Association. I serve as the President of the Board of Directors of the Provo River Water Users Association.

The District and the Association I represent are the entities responsible to repay to the United States all of the costs of construction of the Provo River Project. Repayment for, and the operation and maintenance of, the Aqueduct Division of the Provo River Project is the responsibility of the District. Repayment for, and the operation and maintenance of, the Deer Creek Division of the Provo River Project is the responsibility of the Association.

The District and the Association are interested in pursuing a title transfer of certain features of the Provo River Project in Utah. The Association and the District are seeking title to the Salt Lake Aqueduct, the Provo Reservoir Canal, and a 3.79 acre parcel of land in Pleasant Grove, Utah that is being used for the Association's Office and Shop Complex.

Construction of the Salt Lake Aqueduct was initiated in 1939. The Salt Lake Aqueduct consists of a new intake structure, recently constructed without federal funds, located at the base of Deer Creek Dam, at the top of Provo Canyon in Wasatch County, Utah. From the intake structure water is conveyed through approximately 41 miles of pipe with an inside diameter of 69", as well as several tunnels. The Salt Lake Aqueduct reaches from the intake to the District's Little Cottonwood Water Treatment Plant in Salt Lake County. From the plant, water is conveyed to two 20 million gallon finished water reservoirs located at approximately I-215 and 3300 South in Salt Lake City.

The Provo Reservoir Canal is approximately 23 miles long and reaches from the mouth of the Provo Canyon, through eight Utah County cities to the south end of Salt Lake County. For most of its length the canal is an open, unlined, earthen structure, perched on foothills above and below a rapidly urbanizing area. The Provo Reservoir Canal includes four large siphons to move water under streams and roads.

The Provo Reservoir Canal was privately constructed in the early 1900s. Legal title to the Provo Reservoir Canal was conveyed to the Bureau of Reclamation in 1939 to facilitate financing of canal improvements through the Reclamation Act of 1902. Ironically, because the United States holds legal title to the Provo Reservoir Canal, the local governmental entities are inhibited from obtaining locally financed improvements that are critically needed.

The 3.79 acre parcel of project land in Pleasant Grove, Utah is the location of a new \$2 million Office and Shop Complex recently completed by the Association using no federal dollars. Though the Association was given a perpetual right to use this land in 1956, title to the land remains in the name of the United States.

The proposed title transfer will be the first step to accomplishing the following goals:

1. Non-federal financing of necessary facility improvements.

While the Salt Lake Aqueduct is generally in very good condition, we anticipate accelerating repairs in the coming decades to improve security, seismic safety and longevity of the facility.

The Provo Reservoir Canal must be enclosed. We anticipate an enclosure project in partnership with the Central Utah Project.

The fact that title is held by the United States prevents certain low-cost, non-federal financing sources.

2. Water conservation. It is estimated that the unlined Provo Reservoir Canal loses approximately 8% of the water moved through that facility. The proposed enclosure would make that water available for use.

3. Use of some of the conserved water for stream habitat. It is anticipated that some of the saved water will be used by the Department of the Interior for in-stream purposes in the lower Provo River by agreement. The lower five miles of the Provo River have been designated critical habitat for the June Sucker.

4. An increase in the Central Utah Project (CUP) water supply. It is anticipated that several petitioners for CUP water will be able to turn back some CUP water because of the availability of the water saved through enclosure of the Provo Reservoir Canal.

5. Improved public safety. The land surrounding the canal is quickly developing, and interactions with the canal are increasing. Approximately 14 people have drowned in the Provo Reservoir Canal in the last 20 years. Enclosure would virtually eliminate this risk.

6. Improved public drinking water protection and security. Today the majority of the water moved through the Provo Reservoir Canal is treated and used for drinking water. The open canal exposes the water to a number of contaminants.

7. More efficient and coordinated use of water treatment and conveyance facilities for the benefit of a number of local governmental entities. The Provo Reservoir Canal, the Salt Lake Aqueduct and the Jordan Aqueduct all serve water to north Utah County and Salt Lake County. Several water treatment plants are or will be tied together with this facility, and additional facilities currently being constructed by this District. Transfer of title to the Salt Lake Aqueduct and the Provo Reservoir Canal, and enclosure of the canal, will allow a more comprehensive and coordinated use of these facilities, to the benefit of all of the communities involved. It is anticipated that the coordinated use of these facilities will assist the Central Utah Project in meeting some minimum in-stream flow commitments.

8. New public recreational opportunities. Water quality and safety concerns prevent the lawful use of the Provo Reservoir Canal maintenance road as a public trail. When the canal is enclosed the surface could be used safely for a public trail.

9. The elimination of demands on limited Reclamation resources. The Bureau of Reclamation provides dedicated and competent staff support and resources to assist with the maintenance of the aqueduct and canal rights of way. Those responsibilities will have to be assumed completely by the District and the Association, and Reclamation resources will be freed up for other federal needs.

Completion of title transfer to the Salt Lake Aqueduct and the Pleasant Grove Property will require a title transfer agreement with the Secretary. Completion of title transfer to the Provo Reservoir Canal will require certain agreements among the impacted local entities and the United States. Completion of title transfer will require NEPA compliance and other compliance work. The first step is Congressional authorization of this process. We ask for your support of this critical first step.